
MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

HON. MARK E. FULLER, PRESIDING

AT MONTGOMERY, AL

DATE COMMENCED: 1/20/06

AT: 8:35 a.m.

DATE COMPLETED: 1/20/06

AT: 10:25 a.m.

UNITED STATES OF AMERICA

§

vs.

§

CR. NO. 2:05CR119-F

§

DON EUGENE SIEGELMAN, ET AL.

§

<u>GOVERNMENT</u>	<u>APPEARANCES:</u>	<u>DEFENDANT</u>
Louis V. Franklin, Sr.		Charles Redding Pitt
James B. Perrine		Russell J. Drake
Stephen P. Feaga		Arthur W. Leach
Joseph L. Fitzpatrick		Christopher Kyle Whitehead
		Henry Lewis Gillis
		Leslie Vernon Moore
		Terry Lucas Butts
		Stewart D. McKnight. III.
		Ronald W. Wise

COURT OFFICIALS PRESENT:

Meredyth Cohen, Law Clerk
Kelli Gregg, Courtroom Clerk
Jimmy Dickens, Court Reporter

Barbara Wells, Law Clerk
Corrie Long, Law Clerk

COURTROOM PROCEEDINGS:

(X) Status Conference

8:35 a.m. - Court convenes.
Court addresses counsel regarding pending motions and a trial schedule.
There are no objections from parties regarding the Court unsealing Doc.
(#87) Motion to Unseal Records including exhibits.
Court GRANTS Doc. (#87) Motion to Unseal Records in its entirety.
Government argues their position regarding Docs. (#69 and #70) Motions
to Sever under Rule 8b.

Attorney Leach argues his position to the Court regarding Motions to Sever under Rule 8b.

Attorney McKnight argues his position to the Court regarding Motions to Sever under Rule 8b.

Attorney Leach argues his position to the Court regarding Motions to Sever under Rule 14.

Attorney McKnight argues his position to the Court regarding Motions to Sever under Rule 14.

Government argues their position to the Court regarding Motions to Sever under Rule 14.

Counsel all state that they are not aware of any Brewton statements or antagonistic statements at this time but have not finished going through all the paper work.

Court will take these motions under advisement and get a ruling out soon. Court discusses times for setting this case for trial and any deadlines that will fall from that. The Court proposes having jury selection on April 19th or 20th through the 25th and ready to start trial May 1, 2006.

Government has no objection to these dates.

Attorney Leach objects to these dates because of a trial before Judge Coogler set to start May 1, 2006. Defendant Scrushy will sign a speedy trial waiver if he is granted a severance from the other defendants.

Attorney Pitt thinks these dates are doable but difficult. Is there any way to have the Birmingham trials moved to a later date? Defendant Siegelman prefers not to waiver his speedy trial rights.

Attorney Wise has a trial in Birmingham in April before Judge Propsts.

Attorney Drake has a case May 15th set.

Attorney Leach has sentencing on May 15th set.

Attorney Wise has two conflicts on May 21st one of which may be difficult to move.

Court gives proposed deadlines: Trial will be in the special proceedings courtroom with the Court selecting 18 jurors with at least 4 of those being alternate jurors; Pretrial motion deadline will be February 13th; with a Reply date of February 27th and Response date of March 6th; Hearing for Pretrial motions will be March 13th; Motions in Limine for April 3rd; Proposed Voir Dire and Jury Instructions March 20th; Response by April 10th responses; Pretrial conference date to be in late March; Three days would be sufficient to select a jury; The jury questionnaires can be supplemented and counsel may have questionnaires on April 14th.

Government will present more grand jury information to counsel on Monday.

Attorney Leach asks that the Government stop in the production of documents by a date certain.

10:25 a.m. - Court is in recess.